

# Coalition of Organizations for Accessible Technology

---

January 9, 2008

Federal Communications Commission  
Washington, DC 20554

## **In Regard to Video Description Pass Through and the Transition from Analog to Digital Television**

Dear Commissioners:

On behalf of the Coalition of Organizations for Accessible Technology (COAT), we write to ask for immediate remedies for the lack of “pass-through” of video description by various video programming distributors, including broadcast stations and cable, satellite, and other multichannel video programming distributors. As you know, audio or video description is the description of key visual elements in programming, inserted into natural pauses in the audio of programming and makes television programming more accessible to Americans who have vision disabilities. Video description is also very important in providing critical details of emergency information and benefits everyone who needs to hear what they also see.

COAT consists of over 160 national, regional, state, and community-based organizations dedicated to making sure that as our nation migrates from legacy public switched-based telecommunications to more versatile and innovative IP-based and other communication technologies, people with disabilities will not be left behind.

Given the ongoing transition to digital television, with the phase-in scheduled to be completed on February 17, 2009, COAT asks for the following to be addressed immediately:

- immediate remedies for the lack of “pass-through” of available video description by video programming distributors; and
- comprehensive information added to the FCC web site at [www.dtv.gov](http://www.dtv.gov) regarding the implementation and dissemination of video description within digital broadcasts.

The 1995 Cable Carriage rules (excerpted below) provide for proper carriage of video description via cable as well as broadcast media. However, COAT is aware that blind individuals are often denied access to described programs because a cable provider or local station has chosen not to “flip the switch” or otherwise pass through the described signal to the SAP or Secondary Audio Program (SAP) channel.

From 1995 Cable rules:

(g) Conditions of carriage. Content to be carried. A cable operator shall retransmit in its entirety the primary video, accompanying audio, and line 21 closed caption transmission of each qualified local noncommercial educational television station whose signal is carried on the cable system, and, to the extent technically feasible, program-related material carried in the vertical blanking interval, or on subcarriers, that may be necessary for receipt of programming by handicapped persons or for educational or language purposes. Retransmission of other material in the vertical blanking interval or on subcarriers shall be within the discretion of the cable operator.

We ask, therefore, for the FCC to issue a Public Notice reminding cable operations about this carriage obligation.

Secondly, we ask for the addition of comprehensive information to the FCC website at [www.dtv.gov](http://www.dtv.gov) regarding the implementation and dissemination of video description within digital broadcasts. As it now stands, this FCC web page provides no information regarding the implementation and dissemination of video description within digital broadcasts.

COAT notes that the 2001 digital cable rules reference the importance of closed captioning **and** video description in the digital television era. The following excerpt is from a legal opinion requested in 2001 by WGBH on this matter:

“The latest order issued by the FCC (in January 2001) regarding the carriage of digital signals on cable emphasizes that all ‘program-related’ material carried in the DTV bit-stream is subject to mandatory carriage (in addition, all ‘program-related’ material ‘necessary for receipt of programming by handicapped persons’ is also subject to mandatory carriage). As closed captioning and descriptive video services are undoubtedly ‘program-related,’ (and ‘necessary for the receipt of programming by handicapped persons’) these services are subject to mandatory carriage.” (See p. 27 of the DTV Order, FCC 01-22).

We ask, therefore, for the FCC to update and revise this web page so that television viewers and distributors of digital programming know of this obligation.

For your information, we are also attaching a copy of a resolution passed unanimously by COAT affiliate, the American Council of the Blind, at its 2007 annual convention on this matter.

Thank you for your attention to the pressing concerns we have raised. We look forward to your response.

Sincerely,

Jenifer Simpson  
Senior Director, Telecommunications and Technology Policy  
American Association of People with Disabilities (AAPD)

Eric Bridges  
Director of Advocacy and Governmental Affairs  
American Council of the Blind (ACB)

Mark Richert  
Director of Public Policy  
American Foundation for the Blind (AFB)

Joel Snyder  
President, CEO, and Founder  
Audio Description Associates

Karen Peltz Strauss  
Consultant  
Communication Service for the Deaf (CSD)

Margaret R. Pfanstiehl, Ed.D.  
President and Founder,  
The Metropolitan Washington Ear, Inc.

Rosaline Hayes Crawford, Esq.  
Director, Law and Advocacy Center  
National Association of the Deaf (NAD)

Cheryl Heppner

Executive Director, Northern Virginia Resource Center for Deaf & Hard of Hearing Persons (NVRC), Fairfax, VA and Association of Late-Deafened Adults (ALDA), Rockford, IL

Claude Stout

Executive Director

Telecommunications for the Deaf and Hard of Hearing, Inc. (TDI)

On behalf of the Coalition of Organizations for Accessible Technology

**Coalition of Organizations for Accessible Technology**

c/o AAPD

1629 K Street, N.W., Suite 503

Washington, DC 20006

Website <http://www.coataccess.org>

**Representation of Video Description Matters  
on the FCC's Consumer Advisory Committee /  
Revision of [www.dtv.gov](http://www.dtv.gov)**

**AMERICAN COUNCIL OF THE BLIND  
RESOLUTION 2007-07-08**

WHEREAS, television is an integral part of family life and American culture; and

WHEREAS, television broadcasts rely upon visual effects and images to convey critical informational, situational, and emotional elements; and

WHEREAS, this reality means that people who are blind or vision impaired often cannot access television broadcasts in a meaningful way; and

WHEREAS, video description, involving a narrator describing visual elements during the natural pauses that occur in dialogue, enables persons who cannot access the visual image to know what is happening; and

WHEREAS, the Consumer Advisory Committee of the Federal Communications Commission provides important counsel to FCC Commissioners on issues involving people with disabilities; and

WHEREAS, the current Consumer Advisory Committee includes no representation by people who are consumers and producers of video description and who are generally accepted to be knowledgeable advocates on behalf of video description; and

WHEREAS, the transition from analog to digital television broadcasts is scheduled for completion by February 2009; and

WHEREAS, the FCC's web page—[www.dtv.gov](http://www.dtv.gov)—provides no information regarding the implementation and dissemination of video description within digital broadcasts;

NOW, THEREFORE, BE IT RESOLVED by the American Council of the Blind in convention assembled on this 3rd day of July 2007, at the Hyatt Regency Hotel in Minneapolis, MN, that this organization directs ACB staff and strongly encourages ACB members and affiliates to urge the FCC Chairman to 1) add consumers and producers of video description who are

generally accepted as being knowledgeable advocates on behalf of video description to the FCC's Consumer Advisory Committee, and 2) add comprehensive information to [www.dtv.gov](http://www.dtv.gov) regarding the implementation and dissemination of video description within digital broadcasts.